

Morgan, Laurie (ECY)

From: Heather Hansen [heather@wafriends.org]
Sent: Tuesday, March 20, 2012 12:10 PM
To: Morgan, Laurie (ECY)
Subject: Comments on Irrigation System Aquatic Weed Control NPDES General Permit
Attachments: Comments on Irrigation System Aquatic Weed Control NPDES Permit March 2012.docx

Laurie Morgan
Department of Ecology
P.O. Box 47600
Olympia, WA 98504

RE: Irrigation System Aquatic Weed Control NPDES General Permit

Dear Ms. Morgan,

Thank you for the opportunity to comment on the proposed renewal of the Irrigation System Aquatic Weed Control NPDES General Permit. Washington Friends of Farm & Forests members include hundreds of irrigation district users.

We appreciate that this revision came at the request of the Washington Water Resources Association to allow for the use of endothall at the label rate. Thank you for considering their request and reviewing the fish study they provided.

Use of aquatic weed control products and algacides is necessary for proper maintenance of irrigation systems in our state.

Our primary concern with the proposed permit is the language about reducing and phasing out the use of acrolein.

On page 8, S5.B7 states,

“For acrolein applications:

During the period of this permit, permittees must make reasonable efforts to reduce the use of acrolein in favor of more environmentally sensitive chemicals as demonstrated in the permittees’ discharge monitoring reports. Ecology will not allow the use of acrolein after the expiration of this permit unless the permittee can demonstrate that the use of acrolein, in consultation with Ecology, is necessary for the feasible control of aquatic vegetation to meet irrigation demand and to protect public safety.”

Washington’s irrigation districts have a long history of using acrolein safely. Those who are currently using it have determined that it is the most appropriate tool for their maintenance program. They should not be required to reduce use unless a specific problem with their use is identified.

The permit language places the burden on irrigation districts to convince Ecology that acrolein is necessary for the feasible control of aquatic vegetation. We believe the responsibility should be Ecology’s and not the irrigation district’s, to show why acrolein should no longer be used.

We are also concerned about the inclusion of “protecting public safety” as a requirement for continued use. Protecting public safety is not required for any other pesticide proposed for use under either the existing or the proposed permit. The purpose of the permit is to allow irrigation districts to control the plant and algae growth in systems that are largely off limits to the public. In approving the label, EPA has already determined the product can be used without compromising public safety.

S5.B7 should be deleted.



We are also concerned about the amount of paperwork involved in complying with the permit. Such requirements take time and money away from the mission of the district.

"Permitees must submit a general plan to Ecology describing how the permittee intends to apply endothall. Submit the plan to Ecology 30 days before using endothall."

"The permittee must monitor all pesticide applications where the treated water eventually flows to a point of compliance..."

"The permittee must maintain and implement a current Integrated Vegetation Management Plan (IVMP) that has been approved by Ecology. New permittees must submit a plan to Ecology for approval."

"Prior to each treatment season, the permittee must publish a notice in the legal notices section of a local newspaper of general circulation (or nearest regional paper if a local paper does not exist)."

"Posting procedures

1. For acrolein, endothall, and xylene treatments, the permittee must post signs at all irrigation canal and drainage ditch accesses within one mile of the point of application that are normally available to the public (such as public road crossings of canals or drainage ditches).

2. The permittee must post and maintain all signs prior to the each application."

"Discharge monitoring reports

1. The permittee must submit monitoring results monthly whether or not the permittee applied pesticides or discharged treated water."

The multiple requirements for planning, monitoring, publishing, posting and reporting are especially burdensome for small districts. For districts of all sizes, the cost of compliance reduces their ability to be responsive to their users needs. While some of the above requirements were included in previous permits, others are new. Ecology should make every effort to streamline such requirements and minimize the burden on the districts.

Thank you for considering our comments.

Heather Hansen
Executive Director
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Olympia, WA 98507

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Washington Friends of Farms & Forests educates the public and decision makers about the science and technology necessary to produce safe, abundant, economical food, fiber and landscaping and to maintain a healthy, productive and safe environment for our agricultural and urban communities.



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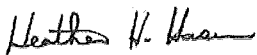
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Sincerely,



Heather Hansen
Executive Director